



CORONAVIRUS GUIDANCE

Contractors & Community Action Agencies: Essential Functions

TO: All DCF Contractors and Community Action Agencies
FROM: Secretary Laura Howard
DATE: March 30, 2020
SUBJECT: Guidance for Essential Functions during COVID-19

Pursuant to Executive Order No. 20-16, Governor Kelly issued a statewide “stay home” order in conjunction with the Kansas Essential Function Framework (“KEFF”) for COVID-19 response efforts, effective as of March 30, 2020. As did EO 20-15, EO 20-16 acknowledges that “consistent exemptions for certain essential functions is critical to the ability of government entities and private enterprises to work together to slow the spread of COVID-19 and mitigate its effects. EO 20-16 defines KEFF as “a framework for identifying and continuing essential functions that must remain operation during a local ‘stay home’ or similar order to maintain critical services and infrastructure during the COVID-19 pandemic.”

Paragraph 9 lists the essential functions exempt from the prohibitions in EO 20-16 in four very broad categories. Importantly, paragraph 9 b. expressly states:

No prior approval is required for individuals or entities to perform essential functions listed in the KEFF below. Individuals or entities who are uncertain whether they perform functions exempted from the prohibitions of this order may email KEFF@ks.gov to determine whether their functions are deemed essential.

[emphasis added]. Nonetheless, even those performing essential functions still must, to the extent possible, “use telework capabilities to avoid meeting in person” and “follow appropriate safety protocols, including maintaining a six-foot distance between individuals and following other directives regarding social distancing, hygiene, and other efforts to slow the spread of COVID-19.” [EO 20-16, ¶ 9 c.]. **The list exempts all individuals and entities that are involved in state, county and municipal government operations, medical services, community health and mental health services and those who produce or provide human and animal food products and services.**

Whereas EO 20-15 and the KEFF site have language suggesting that entities were required to request exemption, EO 20-16 makes it clear that no formal request is needed for the essential functions exemption to apply. A copy of EO 20-16 is attached to this Guidance for a full list of the exemptions.